

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL MISC.APPLICATION No 765 of 1998

For Approval and Signature:

Hon'ble MR.JUSTICE A.K.TRIVEDI

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

DILIPSING BHAGWANSING CHAUHAN

Versus

STATE OF GUJARAT

Appearance:

MR MC BAROT for Petitioner

PUBLIC PROSECUTOR for Respondent No. 1

CORAM : MR.JUSTICE A.K.TRIVEDI

Date of decision: 06/03/98

ORAL JUDGEMENT

1. Heard Mr.M.C.Barot, Ld.advocate appearing for petitioner. Rule. Mr.L.R.Pujari, Ld.APP appears on behalf of respondent-State and waives service of rule.

2. The parties have not pressed for reasoned order. However, the Ld.APP has opposed on the ground that the witnesses who are the relatives of the deceased have

stated before the Investigation Officer regarding mental and physical cruelty meted out to the deceased which led the deceased to commit suicide. Except that there is no other evidence. The petitioner appears to be in custody since 8.7.97. Having regard to the facts and circumstances apparent from the record and submissions urged at the bar, it is ordered that the petitioner to be released on bail on executing a bond of Rs.25,000/- with two sureties of the like amount to the satisfaction of the lower court and subject to the conditions that he shall:

(a) not take undue advantage of her liberty or misuse her liberty;

(b) not act in a manner injurious to the interest of the prosecution;

(c) maintain law and order;

(d) not leave the local limits of Khambolja Police Station, District Kairawithout the prior permission of the Sessions Judge, Kaira;

(d) furnish the address of his residence at the time of execution of the bond and shall not change his residence without prior permission of this court;

3. If breach of any of the above conditions is committed, the Sessions Judge at Kaira will be free to issue warrant or take appropriate action in the matter.

Bail before the lower court having jurisdiction to try the case.

Rule is made absolute. DS permitted.

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